THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :18947 OF 2006

DATED:06-03-2007

BETWEEN:

Sri Mahalakshmi Friends Recreation Club,
Rep., by its President,
D.Mallikarjuna,
R/o Kovur, Nellore District.

..... PETITIONER

AND

The Superintendent of Police,
Nellore,
Nellore District & 3 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel appearing for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in interfering with the day to day affairs of the petitioner club and disturbing its members, as illegal and arbitrary.

3. It has been represented by the learned counsel for the petitioner as well as the learned Government Pleader for Home that the issue involved in this writ petition is squarely covered by a Judgment of Division Bench of this Court in Writ Appeal No.1167 of 2002, dated 29-07-2002, wherein it has been held as follows:

> *"Therefore, the police authorities cannot obstruct the writ petitioner-club from conducting card room where the members and guests of the writ petitioner's cultural center are allowed to play the game of rummy with stakes syndicate (thirteen card game). At the same time, we make it clear that the police is always at liberty to enter the premises and check as to whether the cultural center of the club is conducting card room where the members and guests of the petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game), for the purpose of verification. If they receive any intimation, the police may enter the club and verify the same and proceed further if the members and*

guests of writ petitioner's cultural center play other than the game of rummy with stakes syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which already registered. The Writ Appeal is disposed of accordingly."

Following the same and for the reasons mentioned therein, the Writ Petition is disposed of in terms of the above decision of the Division Bench. No costs.

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V.ESWARAIAH,J

06th March, 2007.

Note:

Furnish C.C. of the order by Monday.

B/o

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